

Customer No. 31,834

Docket No.: RD95

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John J. Niedospial JR.

Serial No.: 09/994,543

Filed: November 27, 2001

Examiner: Deak, Leslie R.

Group Art Unit: 3762

For: **TABLETOP DRUG DISPENSING VIAL ACCESS ADAPTER**

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Office with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: May 10, 2004 Signature: Bryan Peckjian
Bryan Peckjian

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

The owner, Bracco Diagnostics Inc., of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,544,246. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are

05/13/2004 DENMANU1 00000003 502168 09994543

02 FC:1814 110.00 DA

RECEIVED
MAY 17 2004
TECHNOLOGY CENTER R3700

commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

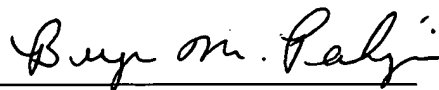
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that any of the said patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Director is hereby authorized to charge the required fee of \$110.00 under 37 CFR 1.20(d) as well as any other fee(s) deemed necessary with the filing of this terminal disclaimer to Deposit Account No. 50-2168.

The undersigned is an attorney of record and authorized to execute terminal disclaimers on behalf of Bracco Diagnostics Inc.

Dated: May 10, 2004

Respectfully submitted,



M. Caragh Noone
Reg. No. 37,197
Bryan M. Peckjian
Reg. No. 54,370
Tel.: 609-514-2454
Fax.: 609-514-2446